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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

OF
DATED THIS THE 30TH DAY JUNE 1998
^

BEFORE

THE HON'BLE MR.JUSTICE E.V.RAVEENDRAN

WRIT PETITION NO.8314/1992

BETWEEN:

1. Ramanaika(70 years)
s/o late Muniswamy Naika
Agricuilturist,
r/o Kanivenahalli,
Kasaba hobli, Malur tk,
Kolar dist.
2. Muninayaka (75 yrs)
since dead by L.Rs(P3-7)
3. Smt. Muniyamma, 70 yrs,
w/o late Muninayaka.
4. Sri.Thimmarayappa
aged about 48 yrs,
s/o late Muninayaka
5. Sri.Thimmarayappa alias
Chikkathimmarayappa alias
Puttappa, 42 yrs,
s/o late Muninayaka.

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...Petitioners

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6. Sri Thimmarayappa,
aged about 45 yrs,
s/o late Muninayaka

7. Sri Mattappa, 35 yrs
s/o late Muninayaka

3 & 7 are all residents
of Kanivenahalli village,
Kasaba hobli, Malur tk,
Kolar dist.

...Petitioners.

P3-7 amended V.C.O.
dtd: 30-6-1998.

(By Sri M C Narasimhan for petrs)

AND:

1. The Tahsildar,
Malur tk,
Malur, Kolar dist.

2. The Block Development Officer,
Malur taluk, Malur.

3. The Secretary,
Hungenahalli Mandal Panchayath
Hungenahalli, Kasaba hobli,
Malur tk, Kolar dist.


4. Smt. Bhadramma
w/o Munikrishna K V
Kanivenahalli,
Hungenahalli post,
Malur tk, Kolar dist.

...Respondents.

(R-4 amended V.C.O. dtd: 23-9-92)

(By Sri A Nagarajappa AGA for R1 & 2

Sri B Srinivasa gowda for R4,

R3 Sd) 

W.P filed u/a 226 & 227 of the constitution of India with an affidavit praying to: Call for entire records pertaining to issuance of title deeds with regards to petitioners lands bearing S.No.22 and 17 of Kanivenahalli village, Malur tkk from R1 & 2 and quash the entire proceedings in the matter of allotment of sites formed in the impugned lands and etc.,

READ: I.A.V filed to recall the order dated 22.6.1998

I.A.VI is to set aside abatement

I.A.VII is to condone the delay

I.A.VIII is filed to permit L.Rs filed by petitioner No.1

W.P coming on for Orders along with I.A.s V-VIII this day, the court made the following:

ORDER

On 22-6-1998 this Court noted that petition in so far as second petitioner is concerned, has abated.

Petitioner No.1 has today filed four applications, I.As V to VIII. I.A.V is filed to recall the order

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order dated 22.5.1998. I.A.VI is to set aside abetment. I.A.VII is to condone the delay and I.A.VIII is filed to permit L.Rs. of the deceased second petitioner to come on record.

For the reasons stated in the affidavits filed in support of the said applications, I.As.V to VIII are allowed. The order dated 22.6.1998 is recalled. Abetment is set aside. Delay is condoned and the L.Rs. of the deceased second petitioner are permitted to come on record as petitioners-2(a) to 2(e). Cause title to be amended.

Learned counsel for the petitioners seeks leave to withdraw this petition reserving liberty to approach the Civil Court. Petition dismissed accordingly.

Sd/-Judge.

Cu

r.by;

c.by;



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Assistant Registrar
High Court of Karnataka
Bangalore-560 001

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